

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30545 of 2020

Arising Out of PS. Case No.-180 Year-2019 Thana- Cheriya Bariyarpur District- Begusarai

Rahul Kumar Son of Ram Balak Singh Resident of Village - Manjhaul, P.S. -
Cheriyabariyarpur (Manjhaul), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Cheriya Bariyarpur P.S. Case No.180 of 2019, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., about 1089 litres of IMFL is stated to have been recovered from the pickup van. The name of the petitioner transpired in the statement of co-accused made before the police.

It is submitted by learned counsel for the petitioner that the petitioner had no concern either with the pickup van or with the place of recovery or with the allegedly seized articles. The petitioner has no criminal antecedent and his case stands on



similar footing to that of co-accused Raushan Kumar and Bhujungi Singh who have been enlarged on bail vide orders dated 29.2.2020 and 11.6.2020 which are Annexure-2 series to this petition.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner not having any criminal antecedent and grant of bail to co-accused, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Cheriya Bariyarpur P.S. Case No.180 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Begusarai, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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